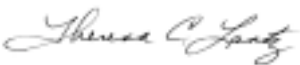
 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	<p>Directive Number 11.3</p>	<p>Effective Date 7/1/2006</p>	<p>Page 1 of 5</p>
<p>Approved By </p>	<p>Supersedes New Directive</p> <p>Title Remand of Parolees to Actual Custody</p>		

1. Policy. The Department of Correction shall support the successful reintegration and supervision of parolees in the community unless it no longer appears that the parolee will live and remain at liberty without violating the law or that the parolee's release is no longer compatible with the welfare of society.
2. Authority and Reference.
 - A. Griffin vs. Wisconsin, 483 U.S. 868 (1987); United States v. Knights, 534 U.S. 112 (2001).
 - B. Connecticut General Statutes, Sections 18-81, 53a-18, 53a-19, 53a-20, 53a-21, 53a-22, 54-33d, 54-33e, 54-124a(g), 54-124a(j)(1)-1 through 54-124a(j)(1)-11, 54-124c, 54-125a, 54-125e, 54-126 and 54-127.
 - C. Regulations of Connecticut State Agencies, Sections 54-124a (j)(1)-1 through 54-124a (j)(1)-11.
 - D. American Correctional Association, Standards for Administration of Correctional Agencies, Second Edition, April 1993, Standards 2-CO-1D-02 and 2-CO-3A-01.
 - E. American Correctional Association, Standards for Adult Correctional Institutions, Fourth Edition, January 2003, Standards 4-4090, 4-4190, 4-4202, 4-4204, 4-4206 and 4-4281.
 - F. American Correctional Association, Performance-Based Standards for Adult Local Detention Facilities, Fourth Edition, June 2004, Standards 4-ALDF-2B-01, 4-ALDF-2B-02, 4-ALDF-2B-07, 4-ALDF-6A-07 and 4-ALDF-7B-16.
 - G. American Correctional Association, Standards for Adult Probation and Parole Field Services, Third Edition, August 1998, Standards 3-3175 and 3-3176.
 - H. Administrative Directive 2.7, Training and Staff Development.
3. Definitions. For the purposes stated herein the following definitions apply:
 - A. Actual Custody. The physical arrest and return to confinement in a correctional facility of a parolee.
 - B. Approved Residence. A parolee's residence which has been investigated and approved by the parole officer or a residence that a parole officer has recorded and allowed a parolee to move into pending investigation.
 - C. Case Conference. A review initiated by a Department parole supervisor or parole officer for the purpose of quality assurance or to consider interventions which may be required to address a parolee's behavior.
 - D. Emergency Remand. An unplanned remand to actual custody without prior supervisory approval that occurs when a parole officer determines that an imminent threat of violence exists or there is a substantial risk of serious harm to the parolee, parole officers or other persons if a remand to actual custody is not undertaken immediately.
 - E. Exigent Circumstances. Situations that demand immediate action due to a compelling need and when there is no time to obtain prior approval of a Department parole supervisor, including emergency situations involving (1) danger to human life, or (2) destruction

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- of evidence or (3) flight of a parolee.
- F. Field Remand. A remand, planned or unplanned, which takes place in the community (e.g., parolee's residence, third party residence, contracted residential program, non-residential programs, business, street or other location).
 - G. Lead Parole Officer. The parole officer who supervises the parolee being remanded shall be the lead parole officer in charge of the remand team unless otherwise designated by a Department parole supervisor.
 - H. Office Remand. A remand, planned or unplanned, which takes place in a District Office or other reporting site to which a parolee regularly reports to a parole officer.
 - I. Parole. The conditional release from imprisonment prior to the end of a criminal sentence granted by the Board of Pardons and Paroles that allows a parolee to serve the remainder of the sentence in the community under supervision provided the parolee follows the conditions of parole.
 - J. Parolee. A person conditionally released from imprisonment and supervised in the community. A parolee shall include any offender released on either discretionary or special parole.
 - K. Planned Remand. A tactically devised plan for the purpose of taking a parolee into actual custody which has been approved by a Department parole supervisor or higher authority as the result of a case conference with a parole officer.
 - L. Proper Officer. Any officer of the Department of Correction, Board of Pardons and Paroles or any officer authorized by law to serve criminal process within the State of Connecticut.
 - M. Remand. The physical procedures used to arrest and return a parolee to actual custody.
 - N. Remand to Actual Custody Order. The written temporary legal authority directed to any proper officer by which a parolee is arrested, charged with violation of parole and returned from parole to actual custody.
 - O. Special Parole. A mandatory period of parole supervision imposed by the court to commence after the expiration of the maximum term(s) of imprisonment.
 - P. Unplanned Remand. A spontaneous or unforeseen opportunity to return a parolee to actual custody for which authorization has been granted by a Department parole supervisor.
 - Q. Warrant for Reimprisonment. The formal, continuing legal authority, issued by the Board of Pardons and Paroles to a proper officer and based on probable cause, to arrest, hold and confine a person for violation of parole.
4. General Provisions.
- A. The Director of Parole and Community Services as well as all Department parole supervisors are designated to authorize and initiate the execution of remand to actual custody orders.
 - B. All parole officers are designated as persons authorized to supervise parolees and to request, serve, and execute remand to actual custody orders (CN 11301, Remand to Actual Custody Order) and warrants for re-imprisonment (Attachment A, Warrant for Re-Imprisonment).
 - C. Except during an emergency remand, a parolee may be taken into actual custody only with the approval of a Department parole

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supervisor. In the absence of the assigned Department parole supervisor the parole officer shall contact any other available Department parole supervisor or the Director of Parole and Community Services.

- D. Except during an emergency or unplanned remand in which exigent circumstances exist, authorization shall be obtained before each and every separate attempt made to remand a parolee.

5. Procedures.

- A. Remand Authorization Procedure (Excluding Emergency Remands).
A case conference shall be held between the parole officer and Department parole supervisor to consider whether continued individualized interventions designed to foster rehabilitation or further use of services are likely to correct the misbehavior. When deciding whether there are reasonable grounds upon which to issue CN 11301, Remand to Actual Custody Order, the Department parole supervisor may consider the following (if available):

1. The observations of the assigned parole officer.
2. The reliability and/or credibility of any third party information provided.
3. The activity or circumstances that relate to whether the parolee should be remanded.
4. Any relevant information provided by the parolee related as to whether the parolee should be remanded.
5. The experience and length of time the parole officer has had with the parolee.
6. Any experience the parole officer may have in similar circumstances with the parolee.
7. The parolee's criminal history, prior prison adjustment, and/or performance while under supervision in the community.
8. Whether continued placement in community supervision is in the parolee's best interest and/or that of the public.
9. Any other pertinent or law enforcement information to be taken into account.

Only after a Department parole supervisor has authorized a Remand to Actual Custody Order shall a remand be attempted.

- B. Remand Execution Procedure. Staff duties and responsibilities pursuant to this section shall be outlined in the appropriate post orders, which shall be developed, implemented and promulgated by the Director of Parole and Community Services.

6. Remand to Actual Custody Order.

- A. CN 11301, Remand to Actual Custody Order shall be completed by a parole officer, authorized by the Department parole supervisor and lodged at the appropriate facility in which the parolee is detained, at either the time of remand to a Department facility by lodging the remand with the Department facility, or upon notification that the parolee has been arrested and taken into actual custody, by lodging the remand with the arresting authority who has actual custody of the parolee.

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- B. Parolees remanded to actual custody for parole violation shall have no right to bail and shall be detained pending further order of the Board of Pardons and Paroles or the Department's Division of Parole and Community Services.
- C. A CN 11301, Remand to Actual Custody Order issued by the Department's Division of Parole and Community Services shall expire after 30 days and shall be superceded by actions taken by the Board of Pardons and Paroles as specified in Section 54-124a of the Connecticut General Statutes.

7. Updating Parolee Information.

- A. Upon issuance of CN 11301, Remand to Actual Custody Order the parole officer shall immediately advise the appropriate law enforcement agency that there is an active remand to actual custody order for the parolee.
- B. If lodged with a law enforcement agency, CN 11301, Remand to Actual Custody Order shall be valid for 30 days, after which it shall be void, provided that any CN 11301, Remand to Actual Custody Order not executed may be renewed and reissued. After 30 days, CN 11301, Remand to Actual Custody Order shall be physically retrieved or reissued at the agency where it was lodged.

8. Instances when a Parolee is Already in Actual Police Custody.

- A. Whenever notice is received that a parolee is in actual police custody, the parole officer receiving the notification shall coordinate the positive identification, supervision status, and return of the remanded parolee to the nearest Department intake facility as appropriate.
- B. Whenever a parolee is in actual police custody for new misdemeanor or felony charges, the parole officer receiving notification shall verify the identification and supervision status of the parolee. The parole officer shall evaluate the nature of the offense to assess the appropriateness of a Remand to Actual Custody Order and the method of its lodging. The Department parole supervisor shall be notified as appropriate. A Department parole supervisor must authorize any requests for parole officers to transport a parolee in police custody to a Department receiving facility. Any criminal offense, which may be expected to cause significant media attention, shall be immediately reported to a Department parole supervisor.

9. Training and Equipment.

- A. All parole officers shall be trained in the proper use of the Parole and Community Services Unit's equipment in accordance with Administrative Directive 2.7, Training and Staff Development.
- B. All parole officers shall be trained in the proper remand policies, procedures, practices and any case law and/or legal issues as provided for in this directive.
- C. Subsequent Department and unit specific training shall be conducted as part of annual in-service training.
- D. Only state-issued equipment shall be used in the performance of remands.

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10. Forms and Attachments. The following forms and attachments are applicable to this Administrative Directive and shall be utilized for the intended function:
 - A. CN 11301, Remand to Actual Custody Order; and,
 - B. Attachment A, Warrant for Re-Imprisonment.
11. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.